

NEVADA DEPARTMENT OF CORRECTIONS	SERIES 600 HEALTH CARE SERVICES	SUPERSEDES: AR 641 (01/20/03)
ADMINISTRATIVE REGULATIONS MANUAL	ADMINISTRATIVE REGULATION 641 COLLECTION OF BLOOD AND SALIVA SAMPLES FROM INMATES	EFFECTIVE DATE: 04/05/04

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	<u>MANDATORY REVIEW DATE</u>	<u>01/20/05</u>

PURPOSE

To establish the administrative structure and a uniform policy for the collection of blood and saliva specimens from inmates.

AUTHORITY

NRS 171.085
NRS 171.095
NRS 176.0911
NRS 176.0913
NRS 176.0915
NRS 176.0917
NRS 179A.075
NRS 209.131

RESPONSIBILITY

It is the responsibility of the Department's Appointing Authorities to ensure its designated intake centers will:

- Coordinate the collection of DNA specimens as ordered by the courts; and
- Collaborate with designated criminal justice agencies in Clark and Washoe Counties in information gathering, exchange and standardization of the processes. **(3-4099)**

All Department employees have the responsibility to have knowledge of and comply with this regulation.

APPLICABILITY

This regulation applies to all Department employees and inmates.

DEFINITIONS

APPOINTING AUTHORITIES – Individuals to whom the Director has delegated authority to recommend and implement personnel actions. Appointing authorities may include Assistant Directors, Medical Director, Wardens, Correctional Programs Administrator and Division Heads.

COMBINED DNA INDEXING SYSTEM (CODIS) – A DNA indexing system operated by the Federal Bureau of Investigation.

DEPARTMENT – Nevada Department of Corrections.

DIRECTOR – The Director of the Nevada Department of Corrections.

DNA SPECIMEN – For the purposes of this administrative regulation the specimen utilized is a saliva specimen, unless a blood specimen or other type is specifically ordered.

NEVADA OFFENSE CODE (NOC) – The numerical value assigned to a crime by the Nevada Criminal History Repository.

NRS – Nevada Revised Statutes.

OFFENDER – Has the meaning found in NRS 176.0913 and shall be changed to reflect any amendments to the NRS that occur.

PROCEDURES

641.01 IDENTIFICATION OF INMATES REQUIRING DNA SPECIMENS

1.1 The intake staff at the designated Department institutions must determine if an inmate is sentenced as an offender who needs to provide a biological specimen for DNA testing.

1.1.1 This information is stated in the inmate's judgment of conviction or from special court orders directed to the Department.

1.1.2 If the information is not stated in the judgment of conviction, the intake staff will also compare the inmate's NOC's against a list of applicable offenses provided by the Offender Management Division.

1.1.3 If the intake staff concludes that an inmate should provide a blood or saliva specimen and the order for such is not in the judgment of conviction; intake staff will notify the Offender Management Division to request an order.

- The OMD will contact the District Attorney listed on the Judgment of Conviction and request an order from the court.

1.1.4 The Offender Management Division will provide to the designated intake centers the contact names and telephone numbers of the District Attorneys' Offices.

1.2 The Offender Management Division (OMD) will designate a staff person to review all subsequent convictions to determine if a collection is required by statute.

1.2.1 If collection is required, a designated staff person will review the DNA screen in the NCIS to see if a sample has already been collected; if there is no record of previous collection the institution is to be notified to obtain a sample.

1.2.2 If the Judgment of Conviction does not order the collection but it is required by statute, the designated staff in OMD will obtain a copy of the Judgment and request an order for collection via the District Attorney of the sentencing county.

641.02 MEDICAL DRAW PREPARATION

1.1 The institutional Medical Staff must obtain the specimen from the inmate utilizing the DNA specimen kit provided by the Washoe County Forensic Laboratory or Las Vegas Metro Police Forensic Laboratory, DNA Section.

1.1.1 The institutional Medical Division must direct requests for kits to the nearest forensic laboratory.

1.2 The DNA specimen kits for blood specimen contain the following items:

- Fingerprint form;
- Identification sticker;
- Blood tube (EDTA/purple top);
- Styrofoam box; and
- Rubber band.

1.3 The DNA specimen kits for saliva specimen contain the following items:

- Fingerprint form;
- Identification sticker; and
- Saliva stick.

641.03 MEDICAL DRAW PROCESS

1.1 The institutional Medical Division will ensure the collecting of the specimen will follow the process stated in this administrative regulation.

1.1.1 Collect the saliva specimen utilizing the kit provided, according to 641.02, above.

1.1.2 Label the specimen with the inmate's name and the Department's identification number and properly sealed.

1.1.3 Obtain the right and left thumbprints from the inmate on the form provided by the laboratory and record the Department's identification number.

1.2 The designated institutional classification staff will enter information into the Nevada Correctional Information System (NCIS) indicating that the specimen has been obtained.

1.3 Collection of Blood Specimens

1.3.1 Medical staff will verify the requirement to obtain a blood specimen with supporting documentation such as a court order.

1.3.2 The sample will be obtained and secured as directed by the kit directions.

1.3.4 Complete information required by the package used to return the blood specimen to the appropriate forensic lab.

1.3.5 The specimen must be refrigerated pending transport and/or delivery to the designated forensic laboratory. The specimens are not to be stored with edibles.

1.4 This process is mandatory and may not be refused.

641.04 DELIVERY

1.1 Delivery to the designated laboratories will be provided by the Department's Central Transportation staff.

1.1.1 The institutional Medical Division will ensure the notification of the Department's Central Transportation Lieutenant of specimen delivery and notify the designated classification staff.

1.1.2 The classification staff will ensure the logging of the pick-up into the NCIS by the Department's Central Transportation staff.

641.05 PERIODIC REVIEWS

1.1 The Department's Offender Management Division's Research Analyst will verify the status of all inmates who are required to provide DNA specimen on a quarterly basis.

1.2 The Research Analyst will notify the institutional Medical Division of inmates requiring a specimen.

REFERENCES

ACA Standard 3-4099

ATTACHMENTS

None

Jackie Crawford, Director

Date

Ted D'Amico, D.O., Medical Director

Date

CONFIDENTIAL

Yes

XX
No

THIS PROCEDURE SUPERSEDES ALL PRIOR WRITTEN PROCEDURES ON THIS SPECIFIC SUBJECT.